

RESOLUTION NO. 10-113

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA DESIGNATING THE CITY OF HIALEAH A "RECOVERY ZONE" FOR PURPOSES OF SECTION 1400U-1, 1400U-2 AND 1400U-3 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FOR THE USE OF ALLOCATIONS RECEIVED FOR RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS AND RECOVERY ZONE FACILITY BONDS WITHIN SUCH RECOVERY ZONE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1401 of Title I, Division B of the American Recovery and Reinvestment Act of 2009 (the "ARRA") added Sections 1400U-1 through 1400U-3 to the Internal Revenue Code of 1986, as amended (the "Code") which authorizes certain state and local governments to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds (collectively, "Recovery Zone Bonds") through December 31, 2010;

WHEREAS, the U.S. Treasury Department established a national bond volume limitation of \$10 billion for Recovery Zone Economic Development Bonds and of \$15 billion for Recovery Zone Facility;

WHEREAS, allocations distributed to each state are calculated based upon the proportion of that state's 2008 employment decline in relation to the aggregate 2008 employment declines for all states;

WHEREAS, each state that has received a Recovery Zone allocation is required to reallocate such amount among the counties and large municipalities within the state in an amount relating to such county's or large municipality's 2008 employment decline which is proportionate to the aggregate 2008 employment decline for all counties and large municipalities within such state;

WHEREAS, such allocation has now been undertaken for the State of Florida, and the City of Hialeah, Florida (the "City") has been allocated \$4,134,000 in Recovery Zone Economic Development Bond allocations and \$6,201,000 in Recovery Zone Facility Bond allocations;

WHEREAS, pursuant to Section 1400U-1 of the Code, in order for the City to issue Recovery Zone Bonds, the City is required to designate areas within the City as recovery zones which are eligible to receive such Recovery Zone allocation (a "Recovery Zone"); and

WHEREAS, the City hereby finds that there have been high levels of poverty, unemployment or home foreclosures which has resulted in general distress within the City, the City Council now finds it in the best interests of the City based upon these economic conditions

to designate the entire geographic area of the City to be designated as a Recovery Zone for purposes of issuing Recovery Zone Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA:

Section 1. **Authority for this Resolution.** This Resolution is adopted pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida; Chapter 166, Part II, Florida Statutes, the Hialeah Charter and other applicable provisions of law (collectively, the "Act").

Section 2. **Recovery Zone Designation.** The City Council finds and affirms that the entire geographic area of the City has experienced poverty, high rates of unemployment, a high number of home foreclosures or general distress. As a result, the City Council hereby designates the entire geographic area of the City as a Recovery Zone within the meaning of Section 1400U-2 of the Code for purposes of receiving Recovery Zone allocations and issuing Recovery Zone Bonds.

Section 3. **Prior Resolution** All prior resolutions of the City inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained and except as otherwise modified, supplemented and amended hereby shall remain in full force and effect.

Section 4. **Effective date.** This Resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the

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Mayor's veto.

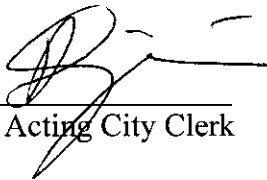
PASSED AND ADOPTED this 26th day of October, 2010.



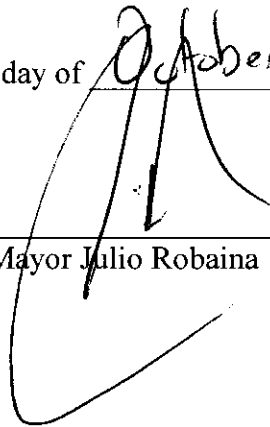
Carlos Hernandez
Council President

Attest:

Approved on this 24 day of October, 2010.



David Concepcion, Acting City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney